

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

NO. 05-80955

v.

HON. AVERN COHN

D-8 BRIAN RONELL GARETT,
D-19 BENJAMIN H. SMITH,

Defendant.

_____ /

**AMENDED ORDER PERMITTING CERTAIN FIREARMS TO BE
BROUGHT INTO COURTHOUSE FOR USE AS TRIAL EXHIBITS**

This matter coming before the Court on the government's motion, for the reasons stated in the motion and pursuant to local Administrative Order 95-079, it is hereby ordered that beginning November 27, 2007, all Deputy U.S. Marshals and Court Security Officers shall permit the case agent Joseph Boley of the DEA in this case, and any other special agent acting under the case agent's supervision, to bring into the Theodore Levin U.S. Courthouse the following firearms:

<u>Exhibit No:</u>	<u>Exhibit:</u>
528	One .40 caliber Glock handgun
529	One nine round loaded .40 caliber clip
530	One H&K Smith & Wesson semi-automatic handgun
531	Ammunition- .40 caliber and two magazines with .40 caliber bullets
576	One Smith & Wesson .40 caliber semi-automatic handgun

577 One Smith & Wesson .357 caliber handgun
578 One .22 caliber Derringer handgun
579 Ammunition- .357, .40 and .22 caliber
613 One (1) "Action Arms" .9 mm handgun with magazine
614 Ten(10) handgun magazine clips
615 One Springfield Armory .45 caliber pistol
616 One Sig Sauer model P229. 40 caliber handgun
617 Ammunition- 9mm luger, .45 caliber automatic and .40 caliber
684 One(1) Jennings 9mm semi-automatic handgun (DEA to find)
685 One(1) Glock 9mm semi- automatic handgun (DEA to find)
769 One Glock Model 27 .40 caliber magazine and one blue key
794 One Lorcin Model L25 .25 caliber semi-automatic handgun
795 One Mossberg 12 gauge shotgun (DEA to find)
801 One Mossberg 12 gauge shotgun
802 Ten Remington 12 gauge shotgun shells
803 One .40 caliber Firestar handgun
804 One .40 caliber magazine with ten rounds

It is also ordered that the firearms shall be handled in accordance with
Administrative Order 95-079, which provides in relevant part:

2. Upon arriving at the courthouse, the case agents bringing with them firearms to be admitted as exhibits in a scheduled trial will announce their intentions and present this court order to the Court Security Officers at the security screening posts.
3. Once notified, the Court Security Officer will escort the case

agents, along with the firearms, into the Marshals Service office where the firearms will be inspected and secured by Supervisory Deputy United States Marshals.

4. Once the firearms are determined to be safe, the Court Security Officer and the case agents will transport the firearms to the designated courtroom where the case agents will be responsible for the security of the firearms. For the duration of the trial, it will be the responsibility of the case agents to coordinate with the Marshals Service to facilitate the transport of the firearms by the case agents to and from the appropriate courtroom. During trial, the case agents will be responsible for the security of the firearms.
5. Once the trial is completed, this court order will expire and the firearms will be removed from the courthouse by the DEA.

It is also ordered that the firearms may be stored with the DEA overnight and during other breaks in the trial.

s/Avern Cohn

AVERN COHN

United States District Judge

Entered: November 27, 2007